

Remarks

Status of the Claims

By this response, claim 1 has been amended. No new matter has been entered. Accordingly, claims 1-11 are pending in the present application.

Rejections Pursuant to 35 U.S.C. §102

In the Office Action mailed 17 January 2008 and made final, claims 1-3 were rejected as anticipated by Cass et al. (USP 6,312,906), and claims 1-11 were rejected as anticipated by Lakowicz (USP Appln. 2002/0160440).

In view of these rejections, claim 1 has been amended to recite, *inter alia*, the limitations of "causing a redox reaction by contacting a sample containing the analyte with a detection reagent," and "detecting the presence of the analyte as a result of the redox reaction and based on the fluorescence emission light emitted by the sample."

Neither Cass nor Lakowicz discloses (or even suggests) such limitations.

Applicants respectfully request that these rejections be withdrawn.

Conclusion

In view of the above amendments and remarks, the application is believed to be in a condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
DINSMORE & SHOHL LLP

By /William A. Jividen/
William A. Jividen
Registration No. 42,695

One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
Telephone: (937) 449-6400
Facsimile: (937) 223-0724

WAJ/